

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 29 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 17 2000 under 66217T

The applicant **Cortez Joint Venture** hereby makes application for permission to change the **point of diversion and place of use** of water heretofore appropriated under **Permit #63169**

1. The source of water is **Underground**
2. The amount of water to be changed **1.24 c.f.s. (1,000.26 acre-feet)**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point within **Lot 10, Section 31, T.28N., R.47E., M.D.M. from which the NE corner of said section bears N. 49° 51' E. 3,467 ft. dist.**
6. The existing permitted point of diversion is located **SE¼ NW¼ Section 17, T.28N., R.48E., M.D.M. from which the N¼- section corner of said section bears N. 42° 35' E., 1,771 feet**
7. Proposed place of use **T.28N., R.48E., M.D.M., Section 9: SW¼, Section 16: NW¼, Section 17: all, Section 18: E½ SE¼**
8. Existing place of use **T.28N., R.48E., M.D.M., N½ Section 17**
9. Use will be from **April 1 to November 1** of each year.
10. Use was permitted from **April 1 to November 1** of each year.
11. Description of proposed works **Drilled & cased well (existing), with gravel packing, submersible pump and motor, and pipeline distribution network.**
12. Estimated cost of works **\$200,000.00**
13. Estimated time required to construct works **One year**
14. Estimated time required to complete the application of water to beneficial use **Three years**
15. Remarks: **Please refer to map filed under Application 65346-T (65338-T through 65356-T) for proposed point of diversion, and map filed under 62977; et. al., for place of use**

By **s/ William A. Nisbet, Agent**
421 Court Street
Elko, Nevada 89801

Compared gkl/ bk hf/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 63169 is issued subject to the terms and conditions imposed in said Permit 63169 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued subject to the "Pipeline Gold Project Groundwater and Surface Water Monitoring Plan" submitted to the State Engineer on August 2, 1993, and to Pershing County and Lander County, Stipulation dated May 21, 1993.

The total combined duty of water under Permits 66221, 66222, 66223, and 66224 shall not exceed 2,415.48 acre-feet per season and is limited to the irrigation of 779.12 acres.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records will be kept of the volume of water pumped from this well and delivered to the irrigation system under Permits 66221 through 66224, inclusive. The records shall be submitted on the monthly report for Cortez Joint Venture.

The issuance of this permit expires Permit 66220-T.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.24 cubic feet per second, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 12, 2002

Proof of completion of work shall be filed before:

March 12, 2002

Water must be placed to beneficial use on or before:

February 12, 2004

Proof of the application of water to beneficial use shall be filed on or before:

March 12, 2004

Map in support of proof of beneficial use shall be filed on or before:

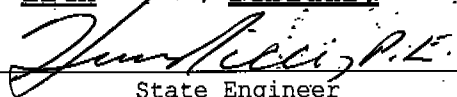
March 12, 2004

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of, February A.D. 2001


State Engineer

Completion of work filed APR 11 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

